

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

ELEANOR LOGAN,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO. 19-1417-RAL
v.	)	
	)	
ANDREW SAUL,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**STIPULATION**

IT IS HEREBY STIPULATED, by and between the parties through their undersigned counsel, and subject to the approval of the Court, that the previously filed EAJA petition is hereby resolved pursuant to the following terms.

Plaintiff shall be awarded Four Thousand, Five Hundred dollars and 00/00 cents (\$4,500.00) in attorney fees under the EAJA. This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412(d).

The Court shall order that the awarded attorney fees be made payable to Plaintiff, Eleanor Logan, and delivered to the business address of Plaintiff's counsel, Joseph B. Silver, Esquire.

After the Court approves the stipulated amount of attorney fees to Plaintiff, the Commissioner will determine whether Plaintiff has any outstanding federal debt to be offset from the attorney fees. If Plaintiff has no outstanding federal debt, the Commissioner will honor Plaintiff's assignment of attorney fees to counsel and make the check payable to Plaintiff's counsel. However, if Plaintiff has an outstanding federal debt, the Commissioner will make the

check payable to Plaintiff directly and deliver the check to the business address of Plaintiff's counsel. The amount of attorney fees payable to Plaintiff will be the balance of stipulated attorney fees remaining after subtracting the amount of Plaintiff's outstanding federal debt. If Plaintiff's outstanding federal debt exceeds the amount of attorney fees under the stipulation, the stipulated amount will be used to offset Plaintiff's federal debt and no attorney fees shall be paid.

This stipulation constitutes a compromise settlement of Plaintiff's request for attorney fees under the EAJA and does not constitute an admission of liability on the part of the Commissioner under the EAJA. Payment of the aforementioned attorney fees shall constitute a complete release from and bar to any and all claims Plaintiff may have relating to attorney fees under the EAJA in connection with this action.

This award is without prejudice to the rights of Plaintiff's counsel to seek Social Security Act attorney fees under 42 U.S.C. § 406, subject to the provisions of the EAJA.

Respectfully submitted,

Dated: 9/22/2020

/s/ Joseph B. Silver  
Joseph B. Silver, Esquire  
Counsel for Plaintiff

Dated: 9/22/2020

/s/ Katie M. Gaughan  
Katie M. Gaughan  
Special Assistant United States Attorney

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Commissioner of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

AND NOW, this 23rd day of September, 2020, upon  
consideration of the afore-stated Stipulation, it is hereby,

ORDERED that Plaintiff, Eleanor Logan, is awarded attorney fees under the EAJA in the amount of Four Thousand, Five Hundred dollars and 00/00 cents (\$4,500.00). These attorney fees will be paid directly to Plaintiff, Eleanor Logan, and sent to the business address of Plaintiff's counsel, Joseph B. Silver, Esquire. Full or partial remittance of the awarded attorney fees will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government. If such a debt(s) exists, the Government will reduce the awarded attorney fees in this Order to the extent necessary to satisfy such debt(s).

BY THE COURT:

s/Richard A. Lloret  
\_\_\_\_\_  
RICHARD A. LLORET  
U.S. MAGISTRATE JUDGE